

Milwaukee County Personnel Review Board

Meeting Minutes – August 19, 2014

I. Roll Call

Board President Daniel Dennehy called to order the regular meeting of the Personnel Review Board at 9:00 a.m. on Tuesday, August 19, 2014, in Room 203-R of the Milwaukee County Courthouse.

The following Board Members were present: Mr. Daniel T. Dennehy, Ms. Mary K. Bruno, Ms. Susan A. Lueger, Ms. Melissa D. Hudson (Clark), and Ms. Melissa R. Soberalski.

II. Approval of Minutes of the August 5, 2014 Meeting

Ms. Soberalski moved, Ms. Clark seconded, and the Board, by vote of 5-0, approved the minutes of the August 5, 2014 meeting.

III. Communications and/or comments from the public, if any

None

IV. Correspondence

None

V. First Appearances

A. DISCHARGE AND SUSPENSIONS

JOSEPH GIDLUND, Correction Officer 1, HOC

Case 2-4140 dated 08/06/2014 for HOC IA # 14-107

Case 1-4139 dated 08/06/2014 for HOC IA #14-105 for 15 days

Case 1-4141 dated 08/06/2014 for HOC IA #14-106 for 25 days

(Refer to Agenda item VII.A.)

B. SUSPENSIONS

MICHAEL LOVE, Correction Officer 1, HOC

Case 1-4143 dated 08/06/2014 for HOC IA # 14-109

The Board heard the report of Charmaine Gee, Administrative Assistant, that Michael Love, who was not present, contacted the office and stated he will accept his suspension and waive his right to a hearing. Ms. Gee gave a waiver form to Captain Rugaber for Mr. Love to complete and submit to the Board. Ms. Lueger moved, Ms. Soberalski seconded, and the Board, by unanimous vote (5-0), voted to hold over Mr. Love's case until September 2, 2014, for an update on the status of his waiver.

DENISE LUNA, Correction Officer 1, HOC

Case 1-4142 dated 08/06/2014 for HOC IA # 14-053

The Board heard the report of Charmaine Gee, Administrative Assistant, that Denise Luna, who was not present, submitted a signed waiver of hearing and accepted her 15

day suspension. Ms. Bruno moved, Ms. Soberalski seconded, and the Board, by unanimous vote (5-0), accepted the waiver of Denise Luna and closed this case.

LYLE MAY, Auto & Equip. Service Tech., DOT

Case 1-4138 dated 08/05/2014

The Board heard the report of Charmaine Gee, Administrative Assistant Personnel Review Board, that Lyle May, who was not present, submitted a waiver accepting his 5 day suspension. Ms. Bruno moved, Ms. Soberalski seconded, and the Board, by unanimous vote (5-0), accepted the waiver of Lyle May and closed this case.

VI. Updates

A. GRIEVANCES

EARL MAYS, Parks Maintenance Worker, PARKS

Case 4-4116 dated 05/15/2014

The Board heard the report of Craig Johnson, Attorney, Sweet & Associates, that he understood that the Board was still awaiting the circuit court's decision in Milwaukee County vs. Milwaukee County Personnel Review Board, et al, Milwaukee County Case Number 2014CV002536, regarding whether the Board has jurisdiction over certain grievances. Ms. Clark moved, Ms. Lueger seconded, and the Board, by unanimous vote, moved this matter to September 16, 2014, for an update. Later Ms. Lueger moved, Ms. Soberalski seconded, and the Board, by unanimous vote (5-0) determined to schedule Mr. Mays' hearing certain for September 16, 2014, rather than an update.

DEBORAH GALL, Licensed Practicing Nurse, HOC

Case 4-4120, dated 05/15/2014

The Board informed Deborah Gall, who was present and represented by Craig Johnson, Attorney, Sweet & Associates, that the Board did not have jurisdiction to hear Ms. Gall's grievance because she is no longer an employee of Milwaukee County. Ms. Lueger moved, Ms. Clark seconded, and the Board, by unanimous vote, determined it did not have jurisdiction over Ms. Gall's grievance because she was not longer an employee of Milwaukee County and dismissed the grievance.

SEAN TOURILLOTT, Airport Maintenance Worker, DOT

Case 4-4117, dated 05/15/2014

The Board heard the report of Craig Johnson, Attorney, Sweet & Associates, that he understood that the Board was still awaiting the circuit court's decision in Milwaukee County vs. Milwaukee County Personnel Review Board, et al, Milwaukee County Case Number 2014CV002536, regarding whether the Board has jurisdiction over certain grievances. Ms. Clark moved, Ms. Lueger seconded, and the Board, by unanimous vote, moved this matter to September 16, 2014, for a hearing certain.

DOUG FELDE, Airport Maintenance Worker, DOT

Case 4-4100, issued 04/18/2012

The Board heard the report of Craig Johnson, Attorney, Sweet & Associates, that he understood that the Board was still awaiting the circuit court's decision in Milwaukee County vs. Milwaukee County Personnel Review Board, et al, Milwaukee County Case Number 2014CV002536, regarding whether the Board has jurisdiction over

certain grievances. Ms. Lueger moved, Ms. Soberalski seconded, and the Board, by unanimous vote, moved this matter to September 16, 2014, for hearing certain.

ROBERT COLLAZO, Zookeeper, ZOO

Case 4-4043, issued 10/08/2014

The Board heard the report of Craig Johnson, Attorney, Sweet & Associates, that Mr. Collazo's case at the Wisconsin Department of Workforce Development's Division of Equal Rights ("ERD") was still pending, but the investigation should be completed by the end of August.

At 9:30 a.m., Ms. Clark moved, Ms. Soberalski seconded, and the Board voted (5-0) to go into closed session pursuant to Sections 19.85(1)(a), Wisconsin Statutes, to deliberate the Robert Collazo matter. At 9:49 a.m., the Board reconvened in open session.

Ms. Lueger moved, Ms. Clark seconded, and the Board, by unanimous vote, moved this matter to September 2, 2014, for a hearing, unless the ERD investigation was not concluded at that time, in which case the Board will move the hearing to September 16, 2014.

VII. Hearings

A. DISCHARGE AND SUSPENSIONS

DWAYNE E. LEE, Clerical Assistant, SHERIFF

Case 2-4126 dated 06/09/14 for IA # 14-126

Case 2-4132 dated 06/27/14 for IA # 13-338 for 3 days

The Board heard the report of Craig Johnson, Attorney, Sweet & Associates, that Dwayne E. Lee, who was present, submitted a waiver accepting his discharge and suspension. Ms. Lueger moved, Ms. Clark seconded, and the Board, by unanimous vote (5-0), acknowledged the resignation of Dwayne Lee from County service, effective August 19, 2014, and closed this case.

JOSEPH GIDLUND, Correction Officer 1, HOC

Case 2-4140 dated 08/06/2014 for HOC IA # 14-107

Case 1-4139 dated 08/06/2014 for HOC IA #14-105 for 15 days

Case 1-4141 dated 08/06/2014 for HOC IA #14-106 for 25 day

The Board first heard Case 1-4139 regarding Joseph Gidlund's 15 day suspension, followed by Case 1-4141 regarding Mr. Gidlund's 25 day suspension, and then heard Case 2-4140 regarding Mr. Gidlund's discharge. Mr. Gidlund was present and was not represented by counsel. At 10:56 a.m., Ms. Clark moved, Ms. Bruno seconded, and the Board voted (5-0) to go into closed session to deliberate the Joseph Gidlund matters. At 11:04 a.m., after deliberating in closed session, the Board reconvened in open session.

Ms. Clark moved, Ms. Bruno seconded, and the Board, by unanimous vote (5-0) found that the evidence was sufficient to sustain violations of Civil Service Rule VII, Section 4(1), paragraph (l) (specifically House of Corrections rule HR-01, Sick/absence) and (o), and upheld the 15 day and 25 day suspensions as well as the discharge of Mr. Gidlund.

B. SUSPENSION

WALTER MEYER, Correction Officer, HOC

Case 1-4123, dated 05/23/2014 for HOC IA #14-080 for 20 days

The Board heard the report of Charmaine Gee, Administrative Assistant, that Walter Meyer, who was not present, submitted a letter of resignation. Ms. Lueger moved, Ms. Bruno seconded, and the Board, by unanimous vote (5-0), acknowledged the resignation of Walter Meyer from County service, effective July 25, 2014, and closed this case.

VIII. Adjournment

Ms. Clark moved, Ms. Bruno seconded, and the Board, by vote of 5-0, adjourned the meeting at 11:10 a.m.

Minutes submitted by: Rebecca M. Janz, Executive Secretary